

**MINISTERIAL STATEMENT AT THE
4TH MINISTERIAL CONFERENCE (BALI PROCESS) ON PEOPLE
SMUGGLING, TRAFFICKING IN PERSONS AND RELATED
TRANSNATIONAL CRIME – BALI, INDONESIA, 29TH TO 30TH MARCH
2011**

1. APPRECIATION

a. The Co-Chairs, Fellow Ministers, Your Excellencies, Ladies and Gentlemen. First of all, on behalf of the Fiji Government, may I extend our appreciation to the Co-Host Countries for the invitation to this conference and to the Government of Indonesia for the great and excellent hospitality extended to the delegation from Fiji.

2. REVIEW PROGRESS

a. Fiji moved from Tier 3 to Tier 2 Watch list in June of 2010 of the US Department of State Trafficking in Persons Report and the various stakeholders (both Government and Non-Governmental organization) in the country have positively combine their efforts based on an inter-agency partnership approach to combat Trafficking in Person(s), People Smuggling and its associated Transnational Crimes.

b. In 2010, the Department of Immigration was tasked to formulate a National Action Plan to Eradicate Trafficking In Person. The National Plan of Action solidifies our common goal for the eradication of Trafficking In Persons and sets the foundation for future collaborative efforts geared towards the attainment of that goal.

c. Government agencies and Non-Government participated in the drafting of the National Action Plan. Consultations were held in June, August and the third consultation held on the 25th of November, 2010.

d. The National Plan of Action on Trafficking was launched on the 10th of February 2011. At the launch, a Memorandum of Understanding (MOU) was signed by eighteen (18) stakeholders including Government Agencies, Non-Government Organizations (NGOs), Regional and International Organizations. The MOU was intended to reflect stakeholders' understanding and co-operation with the aim to eradicate Trafficking in Persons and Child Trafficking in Fiji.

e. The two main laws in Fiji that deals with Trafficking namely the Crimes Decree 2009 and the Immigration Act 2003 describe the legal elements that constitute Trafficking in Person & Child Trafficking. Part 12 of Fiji's Crimes Decree 2009 Criminalize Trafficking in Persons and Children.

f. The current law was tested in court on November of 2010 resulting with a successful prosecution. An Indian national was found guilty on one (01) count of TIP and six (06) counts of obtaining property by deception and was sentenced to 06 years imprisonment. He was involved in the trafficking of seven (07) Indian nationals in the month of August 2011 who were en-route to Auckland New Zealand but fortunately, border official intercepted them at Nadi upon arrival.

g. Fiji has actively participated in various Trafficking Workshops locally and within the region. Workshops organized by Save the Children Fiji, Immigration Department and the Fiji Police Force focused on means to eradicate or combat this act of modern day slavery.

h. The Department of Immigration was also invited in September 2010 to share some light on the subject in a workshop held in Port Moresby as the Government of Papua New Guinea is working towards drawing up their legislations that deals with TIP and People Smuggling. Fiji was also represented at a workshop that was hosted by the Pacific Immigration Directors Conference in Port Vila, Vanuatu in October 2010.

3. CURRENT SITUATION

a. Research on Trafficking in Fiji has confirmed that Fiji as the hub in the Pacific, is a receiving and transit destination country for Trafficking In Persons, thus many traffickers or agents are using Fiji as a transit point.

b. The National of Plan of Action to prevent Trafficking In Person and Commercial Exploitation of Children was drawn up as a National Document to show our commitment in putting specific strategies from identifying to prosecute traffickers and most importantly to provide support to victims. Fiji is still in the process of signing the UN Convention on Transnational Organized Crime and its Protocols. However we have a duty to live up to the standards of the conventions even though we are not yet a signatory.

c. The implementation of the National Plan of Action is seen to be a major challenge but a committee has been put in place to ensure that the various working groups are working towards achieving their respective outcomes as spelt out in the plan.

d. Local stakeholders continue to hold workshops and seminars as a strategy to raise awareness amongst the respective stakeholders and members of the public alike for one to understand that it is a crime and to know what actions to take when encountered with a trafficking situation.

e. Fiji continues with the investigations and prosecution of identified cases. There are number of cases still pending as investigations have been stalled due to various reasons. The gathering of evidence and the collaboration of sender/receiving states is strongly recommended to ensure the success of a prosecuted case.

f. There are a total seven (07) asylum seekers in Fiji as at 30th March 2011 and all have been processed. Only one (01) applicant has appealed against the decision which was rejected.

4. FUTURE DIRECTIONS

a. Trafficking in Persons and People Smuggling as already stated is modern day slavery and is identified that it exists in Fiji in two folds: cross border or locally. Border Security and Law Enforcement Agencies are working together with the aim to identify and combat this crime. Awareness campaigns will be strengthened so as to ensure that even the grassroots people will understand what is TIP and it's associated translational crimes.

b. For the Law and Border Agencies to be effective, the need to build capacities within the region and to enhance our intelligence gathering or information sharing is paramount. The Government of Fiji's appreciation to the Australian and Canadian Authorities for conducting training on Document Examination to the Fiji Border Control Agencies and regional countries.

c. With reference to the handling of Asylum Seekers, Border Control officials will be undergoing training to upgrade their necessary skills on strengthening of border awareness with respect to obligation of carriers before loading of passengers from last port and Memorandum of Undertaking or Agreement to be endorsed with all airlines serving in Fiji

d. Fiji welcomes the proposal to expand the Ad Hoc Group (AFG) to other interested Bali Process members and participants as this will mean that we will also participate or be included in the various workshops/training conducted.

THANK YOU